

U. S. TREASURY DEPARTMENT

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PUBLIC HEALTH SERVICE

HUGH S. CUMMING, *Surgeon General*

DIVISION OF MENTAL HYGIENE

UNITED STATES PUBLIC HEALTH SERVICE

**LAWS ESTABLISHING THE DIVISION
AND AUTHORIZING ITS FUNCTIONS**

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UNITED STATES PUBLIC HEALTH SERVICE

HUGH S. CUMMING, *Surgeon General*

DIVISION OF SANITARY REPORTS AND STATISTICS

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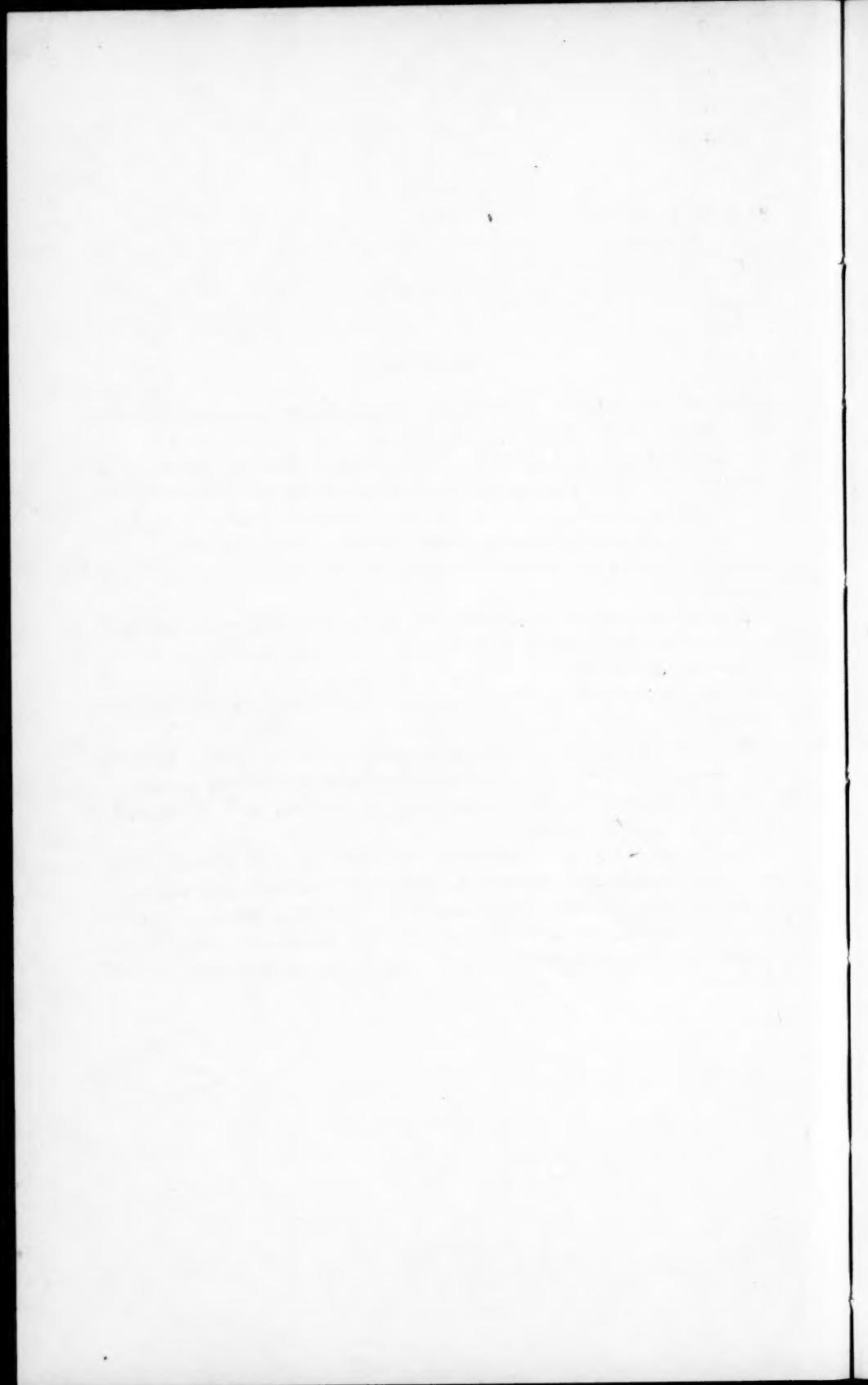
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FOREWORD

The functions of the Division of Mental Hygiene, created by the act approved June 14, 1930, are as follows:

1. The administration of the United States Narcotic Farms, involving the safe-keeping, care, protection, treatment, and discipline of the inmates, the care, discipline, and treatment, in accordance with law, to be designed to rehabilitate, restore to health, and, where necessary, to train such inmates to be self-supporting and self-reliant.
2. The study of the nature of drug addiction and the best methods of treatment and rehabilitation of persons addicted to the use of habit-forming drugs.
3. The dissemination of information on methods of treatment and research.
4. Cooperation with State and local jurisdictions with a view to providing facilities for the care and treatment of narcotic addicts.
5. The supervision and furnishing of medical and psychiatric service in Federal prisons.
6. The study and investigation of the abusive use of narcotic drugs and of the quantities necessary to supply the normal and emergency medicinal and scientific requirements of the United States.
7. The study and investigation of the causes, prevalence, and means for the prevention and treatment of nervous and mental diseases.



LAWS ESTABLISHING THE DIVISION OF MENTAL HYGIENE AND AUTHORIZING ITS FUNCTIONS

NARCOTIC FARMS

Early in the spring of 1928 Congressman Stephen G. Porter, chairman of the Committee on Foreign Affairs of the House of Representatives, and former chairman of the American delegation to the Second Opium Convention at Geneva in 1925, introduced a bill in Congress authorizing the establishment of two institutions for the confinement and treatment of persons addicted to the use of habit-forming narcotic drugs who have committed offenses against the United States and of addicts who voluntarily submit themselves for treatment. After extended hearings and a favorable report, the bill passed the two Houses of Congress and was approved by the President on January 19, 1929.

The act defines the term "habit-forming narcotic drug" or "narcotic" as meaning opium and coca leaves and their derivatives, and also "Indian hemp" and "peyote." This was the first time that these two substances had been included as narcotics in Federal laws dealing with the subject.

The Public Health Service was designated by Congress as the Federal agency to administer the narcotic farms, and the act creates, for this purpose, a new administrative division in the Office of the Surgeon General to be known as the Narcotics Division.¹ The institutions will be designed to rehabilitate, restore to health, and, when necessary, train to be self-supporting and self-reliant, persons addicted to habit-forming drugs who are confined or admitted thereto.

Following is the text of the act:

[PUBLIC—NO. 672—70TH CONGRESS]

[H. R. 13645]

An Act To establish two United States narcotic farms for the confinement and treatment of persons addicted to the use of habit-forming narcotic drugs who have been convicted of offenses against the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in this act—

(a) The term "habit-forming narcotic drug" or "narcotic" means opium and coca leaves and the innumerable alkaloids derived therefrom, the best

¹ The name "Narcotics Division" was changed to "Division of Mental Hygiene" by an act approved June 14, 1930 (see p. 13).

known of these alkaloids being morphia, heroin, and codeine, obtained from opium, and cocaine derived from the coca plant; all compounds, salts, preparations, or other derivatives obtained either from the raw material or from the various alkaloids; Indian hemp and its various derivatives, compounds, and preparations, and peyote in its various forms.

(b) The term "addict" means any person who habitually uses any habit-forming narcotic drug as defined in this act so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such habit-forming narcotic drugs as to have lost the power of self-control with reference to his addiction.

SEC. 2. That the Attorney General, the Secretary of the Treasury, and the Secretary of War be, and are hereby, authorized and directed to select sites for two institutions for the confinement and treatment of persons who have been or shall be convicted of offenses against the United States, including persons convicted by general courts-martial and consular courts, and who are addicted to the use of habit-forming narcotic drugs, and for the confinement and treatment of addicts who voluntarily submit themselves for treatment.

SEC. 3. That upon selection of appropriate sites the Secretary of the Treasury shall submit to Congress estimates of the cost of purchasing same, together with estimates of the expense necessary to construct the proper buildings thereon. The Secretary of the Treasury at the same time, and annually thereafter, shall submit estimates in detail for all expenses of maintaining the said United States narcotic farms, including salaries of all necessary officers and employees.

SEC. 4. That the Secretary of the Treasury is hereby authorized to cause the plans, drawings, designs, specifications, and estimates for the remodeling or construction of the necessary buildings to be prepared in the office of the Supervising Architect, Treasury Department, and the work of remodeling or constructing the said buildings to be supervised by the field force of said office: *Provided*, That the proper appropriations for the support and maintenance of the office of the Supervising Architect be reimbursed for the cost of preparing such plans, drawings, designs, specifications, and estimates for the aforesaid work and the supervision of the remodeling and construction of said buildings.

SEC. 5. That the control and management of the United States narcotic farms shall be vested in the Secretary of the Treasury, who shall have power to appoint competent superintendents, assistant superintendents, physicians, pharmacists, psychologists, nurses, and all other officers and employees necessary for the safe-keeping, care, protection, treatment, and discipline of the inmates. There is hereby created in the office of the Surgeon General of the Bureau of the Public Health Service, in the Department of the Treasury, a division to be known as the Narcotics Division, which shall be in charge of a physician trained in the treatment and care of narcotic addicts, and which division shall have charge of the management, discipline, and methods of treatment of said United States narcotic farms under the rules and regulations promulgated by the Secretary of the Treasury.

SEC. 6. That the care, discipline, and treatment of the persons admitted to or confined in a United States narcotic farm shall be designed to rehabilitate them, restore them to health, and where necessary train them to be self-supporting and self-reliant. For this purpose the Secretary of the Treasury shall have authority to promulgate all necessary rules and regulations for the government of the officers and inmates of said United States narcotic farms. The Surgeon General of the Bureau of the Public Health Service shall also give

the authorized representatives of each State the benefit of his experience in the administration of said United States narcotic farms and the treatment of persons confined therein through the publication and dissemination of information on methods of treatment and research in this field, together with individual and group case histories, to the end that each State may be encouraged to provide similar facilities for the care and treatment of narcotic addicts within their own jurisdiction.

SEC. 7. That the authority vested with the power to designate the place of confinement of a prisoner is hereby authorized and directed to transfer to the United States narcotic farms, as accommodations become available, all addicts, as herein defined, who are now or shall hereafter be sentenced to confinement in or be confined in any penal, correctional, disciplinary, or reformatory institution of the United States, including those addicts convicted of offenses against the United States who are confined in State and Territorial prisons, penitentiaries, and reformatories: *Provided*, That no addict shall be transferred to a United States narcotic farm who, in the opinion of the officer authorized to direct the transfer, is not a proper subject for confinement in such an institution either because of the nature of the crime he has committed, or his apparent incorrigibility. The authority vested with the power to designate the place of confinement of a prisoner is authorized to transfer from a United States narcotic farm to the institution from which he was received, or to such other institution as may be designated by the proper authority, any addict whose presence at a United States narcotic farm is detrimental to the well-being of the institution, or who does not continue to be a narcotic addict under the terms of this act. All transfers to or from a narcotic farm shall be made by the officer in charge of such farm, and the actual and necessary expenses incident to such transfers shall be paid from the appropriation for the maintenance of such farm.

SEC. 8. That it shall be the duty of each prosecuting officer, when sentence is pronounced, to report to the authority vested with the power to designate the place of confinement the name of each convicted person believed by him to be an addict, as herein defined, his reasons for such belief, and all pertinent facts bearing on such addiction, together with the nature of the offense.

SEC. 9. That the inmates of said narcotic farms shall be employed in such manner and under such conditions as the Secretary of the Treasury may direct.

The Secretary of the Treasury may, in his discretion, establish industries, plants, factories, or shops for the manufacture of articles, commodities, and supplies for the United States Government; require any Government department or establishment or other institution appropriated for directly or indirectly by the Congress of the United States to purchase at current market prices as determined by the Secretary of the Treasury, or his authorized representative, such articles, commodities, or supplies as meet their specifications; and the Secretary of the Treasury shall provide for the payment to the inmates or their dependents such pecuniary earnings as he may deem proper, and establish a working-capital fund for said industries out of any funds appropriated for said narcotic farms; and said working-capital fund shall be available for the purchase, repair, or replacement of machinery or equipment, for the purchase of raw materials and supplies, and for the employment of necessary civilian officers and employees: *Provided*, That at the opening of each regular session of Congress the Secretary of the Treasury shall make a detailed report to Congress of the receipts and expenditures made from said working-capital fund.

SEC. 10. That any inmate of said narcotic farms or any narcotic addict confined in any institution convicted of an offense against the United States shall not be eligible for parole under sections 1, 2, 3, 4, 5, 6, 7, and 8 of the act of

Congress approved June 25, 1910, being an act to provide for the parole of United States prisoners, and for other purposes, or under the provisions of any act or regulation relating to parole, or receive any commutation allowance for good conduct in accordance with the provisions of the act of Congress approved June 21, 1902, and entitled "An act to regulate commutation for good conduct for United States prisoners," and the acts amendatory thereof and supplemental thereto, unless and until the Surgeon General of the Bureau of the Public Health Service shall have certified that said inmate is no longer a narcotic addict as defined by this act. When such certificate shall have been made, the board of parole of the penal, correctional, disciplinary, or reformatory institution from which such former addict was transferred may authorize his release on parole without transfer back to such institution.

Sec. 11. That not later than one month prior to the expiration of the sentence of any addict confined in a United States narcotic farm, he shall be examined by the Surgeon General of the Bureau of the Public Health Service, or his authorized representative. If he believes the person to be discharged is still an addict within the meaning of this act and that he may by further treatment in a United States narcotic farm be cured of his addiction, the addict shall be informed, under such rules and regulations as the Secretary of the Treasury may promulgate, of the advisability of his submitting himself to further treatment. The addict may then apply in writing to the Secretary of the Treasury for further treatment in a United States narcotic farm for a period not exceeding the maximum length of time considered necessary by the Surgeon General of the Bureau of the Public Health Service. Upon approval of the application by the Secretary of the Treasury or his authorized agent, the addict may be given such further treatment as is necessary to cure him of his addiction: *Provided*, That if any addict voluntarily submits himself to treatment he may be confined in a United States narcotic farm for a period not exceeding the maximum amount of time estimated by the Surgeon General of the Bureau of the Public Health Service as necessary to effect a cure or until he ceases to be an addict within the meaning of this act.

Sec. 12. That any person, except an unconvicted alien, addicted to the use of habit-forming narcotic drugs, whether or not he shall have been convicted of an offense against the United States, may apply to the Secretary of the Treasury, or his authorized representative, for admission to a United States narcotic farm.

Any such addict shall be examined by the Surgeon General of the Bureau of the Public Health Service or his authorized agent, who shall report to the Secretary of the Treasury whether the applicant is an addict within the meaning of this act; whether he believes he may by treatment in a United States narcotic farm be cured of his addiction and the estimated length of time necessary to effect a cure, and any further pertinent information bearing on the addiction, habits, or character of the applicant. The Secretary of the Treasury may, in his discretion, admit the applicant to a United States narcotic farm. No such addict shall be admitted unless he voluntarily submits to treatment for the maximum amount of time estimated by the Surgeon General of the Bureau of the Public Health Service as necessary to effect a cure, and unless suitable accommodations are available after all eligible addicts convicted of offenses against the United States have been admitted. The Secretary of the Treasury may require any such addict voluntarily applying to pay the cost of his subsistence, care, and treatment. All such money shall be covered into the Treasury of the United States to the credit of the appropriation from which the expenditure was made: *Provided*, That if any addict voluntarily submits

himself to treatment he may be confined in a United States narcotic farm for a period not exceeding the maximum amount of time estimated by the Surgeon General of the Bureau of the Public Health Service as necessary to effect a cure of the addiction or until he ceases to be an addict within the meaning of this act: *And provided further*, That any person who voluntarily submits himself for treatment at a United States narcotic farm shall not forfeit or abridge thereby any of his rights as a citizen of the United States; nor shall such submission be used against him in any proceeding in any court, and that the record of his voluntary commitment shall be confidential and not divulged.

SEC. 13. Every person convicted of an offense against the United States shall upon discharge, or upon his release on parole, from a United States narcotic farm be furnished with the gratuities and transportation authorized by law to be furnished had his discharge or release been from the penal, correctional, disciplinary, or reformatory institution to which he was sentenced or from which he was transferred.

Any court of the United States having the power to suspend the imposition or execution of sentence, and place defendants on probation under any of the existing laws, may impose as one of the conditions of such probation that the defendant, if an addict, as herein defined, shall be admitted and submit himself for treatment at a United States narcotic farm until discharged therefrom as cured. Upon the discharge of any such probationer from a United States narcotic farm, he shall be furnished with the gratuities and transportation authorized to be furnished by the act of July 3, 1926, entitled "An act to increase the clothing and cash gratuities furnished to persons discharged from prisons." The actual and necessary expense incident to transporting such probationer to such farm and to furnishing such transportation and gratuities shall be paid from the appropriation for the maintenance of such farm: *Provided*, That where existing law vests a discretion in any officer as to the place to which transportation shall be furnished or as to the amount of clothing and gratuities to be furnished, such discretion shall be exercised by the Secretary of the Treasury with respect to addicts discharged from United States narcotic farms.

SEC. 14. Any person not authorized by law or by the Secretary of the Treasury who introduces or attempts to introduce into a United States narcotic farm or within the grounds adjoining or adjacent thereto any habit-forming narcotic drugs as defined in this act is guilty of a felony, and is punishable by confinement in the penitentiary for a period of not more than ten years.

SEC. 15. It shall be unlawful for any person properly committed thereto to escape or attempt to escape from a narcotic farm, and any such person upon apprehension and conviction in a United States court shall be punished by imprisonment for not more than five years, such sentence to begin upon the expiration of the sentence for which said person was originally confined.

SEC. 16. It shall be unlawful for any person to procure the escape of any inmate properly committed to a narcotic farm or to advise, connive at, aid, or assist in such escape, or conceal any such inmate after such escape, and upon conviction in a United States court shall be punished by imprisonment in the penitentiary for not more than three years.

SEC. 17. Wherever an alien addict has been transferred to either of the United States narcotic farms provided for in this act who is entitled to his discharge but is subject to deportation in lieu of being returned to the penal institution from which he came, he shall be deported by the authority vested by law with power over deportation.

Approved January 19, 1929.

STUDIES AND DISSEMINATION OF INFORMATION AUTHORIZED

In addition to the administrative functions imposed upon the "Narcotics Division," it is also charged with the duties of making studies of the nature of drug addiction and the best methods of treatment and rehabilitation of persons addicted to habit-forming drugs; with the dissemination of information on the best methods of treatment and research; and with cooperation with State and local jurisdictions with a view to developing facilities for the care and treatment of narcotic addicts.

MEDICAL RELIEF IN FEDERAL PENAL INSTITUTIONS

An act of the Seventy-first Congress, second session, approved by the President on May 13, 1930, authorized that medical relief under the Department of Justice in Federal penal and correctional institutions be supervised and furnished by personnel of the Public Health Service.

With the cooperation and support of the two governmental departments concerned, proposed legislation to accomplish this object was introduced in the House of Representatives by Congressman George S. Graham, of Pennsylvania, on January 28, 1930, as H. R. 9235. A report on this bill from the Committee on the Judiciary of the Senate, submitted by Senator Frederick Steiwer, of Oregon, serves to illustrate the attitude of the legislative branch of the Government concerning this proposed activity. The report of the Committee on the Judiciary is quoted as follows:

The Committee on the Judiciary, to which was referred the bill (H. R. 9235) to authorize the Public Health Service to provide medical service in the Federal prisons, have given full consideration to the same, and now report favorably thereon with the recommendation that the bill pass without amendment.

Medical service is of outstanding importance in the treatment of prisoners in our Federal penal institutions. To eliminate contagious diseases, to properly diagnose physical ailments, to accurately classify men with reference to their mental capacities, is of cardinal importance in the treatment of the individual prisoner; but it is of greatest importance in the protection of our communities. It has been difficult in the past to secure the services of a sufficient number of highly trained physicians, surgeons, and mental experts to fill the posts in our prisons.

There is now within the Federal Government an existing personnel of highly trained medical experts. The United States Public Health Service has acquired an enviable reputation for achievement in its field. It would seem to be a wise scheme to have the Government utilize the services of the United States Public Health Service in its penal institutions. This should result in more expert service and offer a continuation and unification of policies among our institutions which could not perhaps be otherwise obtained.

The committee respectfully urges the support of this bill as an important step to be taken in the reorganization of the Federal prison system.

The Secretary of the Treasury and the Attorney General have both been recorded as favorable to this bill and have expressed the opinion that it offers an opportunity for increased and useful cooperation between Government departments.

Following is the text of the act:

[PUBLIC—No. 203—71ST CONGRESS]

[H. R. 9235]

An Act To authorize the Public Health Service to provide medical service in the Federal prisons

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, authorized medical relief under the Department of Justice in Federal penal and correctional institutions shall be supervised and furnished by personnel of the Public Health Service, and upon request of the Attorney General, the Secretary of the Treasury shall detail regular and reserve commissioned officers of the Public Health Service, pharmacists, acting assistant surgeons, and other employees of the Public Health Service to the Department of Justice for the purpose of supervising and furnishing medical, psychiatric, and other technical and scientific services to the Federal penal and correctional institutions.

Sec. 2. The compensation, allowances, and expenses of the personnel so detailed may be paid from applicable appropriations of the Public Health Service in accordance with the law and regulations governing the personnel of the Public Health Service, such appropriations to be reimbursed from applicable appropriations of the Department of Justice; or the Attorney General is hereby authorized to make allotments of funds and transfer of credit to the Public Health Service in such amounts as are available and necessary, which funds shall be available for payment of compensation, allowances, and expenses of personnel so detailed, in accordance with the law and regulations governing the personnel of the Public Health Service.

Approved, May 13, 1930.

HOSPITAL FOR DEFECTIVE DELINQUENTS

Another act of the Seventy-first Congress, second session, approved by the President on May 13, 1930, authorizes the establishment of a hospital for the care and treatment of all persons charged with or convicted of offenses against the United States, who are in actual custody, and during their detention or confinement are or shall become insane, afflicted with an incurable or chronic degenerative disease, or so defective mentally or physically as to require special medical care and treatment not available in existing Federal institutions. A report on this bill from the Committee on the Judiciary of the Senate, submitted by Senator Hubert D. Stephens, of Mississippi, is quoted in the following:

The Committee on the Judiciary, to which was referred the bill (H. R. 7410) to establish a hospital for defective delinquents, has given full consideration to the same and now reports favorably thereon with the recommendation that the bill pass without amendment.

This bill, which is one of the series designed to enable the Department of Justice to cope with the present unsatisfactory condition in our prisons, presents an important opportunity for further relief from overcrowding in our Federal penal institutions.

As at present constituted, the Federal penal system makes no special provision for the cases of convicts who are insane, tubercular, or chronically sick. Two hundred and four Federal insane convicts are now crowded into unsuitable and insufficient quarters at St. Elizabeths Hospital in Washington, D. C. The superintendent of that institution is recorded as strongly in favor of this legislation. Tubercular prisoners must, under the present arrangements, be cared for in tents or in portions of buildings located within the prison reservations. The chronically sick among the inmate population, who present but slight necessity for that close restraint typical of a prison, must now be placed in prison cells or in prison environment.

The bill as here proposed would authorize the establishment of a general hospital for the care, custody, and treatment of this difficult and pitiable class of prisoners. The common dictates of humanity would seem to demand something better for them than is possible under existing facilities. Their segregation would form an important element in the program of penal treatment as planned by the group of bills herewith recorded by the committee.

The bill provides for the manner of commitment and discharge, has been carefully studied by the committee, and meets its entire approval. There follows a statement from the Department of Justice explaining the aims and purposes of the bill:

BILL TO ESTABLISH A HOSPITAL FOR DEFECTIVE DELINQUENTS

A special hospital is needed for the care and treatment of the relatively large percentage of the prison population which is defective mentally or physically. It is well recognized that very often the cause of crime is some mental or physical handicap which must be removed if the man or woman who gets into prison is to be improved by confinement. It is generally assumed that about 6 per cent of the whole population is so defective mentally that they ought to be segregated. To house and care for even this percentage of the prison population would require an institution built to accommodate about 600 patients. In addition to the mental defectives, a large number of the inmates of correctional institutions are afflicted with diseases which demand special treatment. These include tuberculosis cases, advanced venereal cases, senility, and other types of chronic, degenerative, or incurable diseases.

Those mental cases which are so apparent they can be recognized by the regular prison officials are now sent to St. Elizabeths Hospital in Washington. Less apparent cases of mental instability and those who are suffering from disease are retained at the prison and treated in the prison hospital.

The Government hospital for the insane, in the District of Columbia, is badly overcrowded. The criminally insane ward is particularly congested and can not house any more insane convicts. Moreover, the cost of transporting insane convicts from all over the country is high. It is for these reasons that a medical center for prison cases should be established somewhere in the central part of the United States.

The bill as drafted is substantially the same as the ones authorizing two new correctional institutions. It has, however, one section which provides a board of examiners to pass on all cases to be sent to the hospital for defective delinquents. The reason for this provision was the feeling that no person, even though he is in prison, ought to be stigmatized as insane except by formal proceedings of a qualified board. Moreover, it was felt some such board was desirable to make certain that only cases really demanding special treatment would be transferred to the hospital for defective delinquents.

The bill also has a section which makes it the duty of the prison officials to see that no person who is suffering from a mental disease is turned loose upon the public without first trying to get the particular State concerned to take him in charge. At present, if the officials believe a convict whose sentence has

expired is still insane, they continue to hold him unless his release is sought by one of his friends through legal process. In such cases they have no alternative but to release him, as their jurisdiction ended with the expiration of the sentence. The proposed provision would authorize a definite procedure for handling such cases.

The text of the act follows:

[PUBLIC—No. 201—71ST CONGRESS]

[H. R. 7410]

An Act To establish a hospital for defective delinquents

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is authorized and directed to select a site, either in connection with some existing institution or elsewhere, for a hospital for the care and treatment of all persons charged with or convicted of offenses against the United States, and who are in the actual custody of its officers or agents, and who at the time of their conviction or during the time of their detention and/or confinement are or shall become insane, afflicted with an incurable or chronic degenerative disease, or so defective mentally or physically as to require special medical care and treatment not available in an existing Federal institution.

SEC. 2. Upon the selection of an appropriate site the Attorney General shall submit to Congress an estimate of the cost of purchasing the same and of remodeling, constructing, and equipping the necessary buildings thereon. The Attorney General, at the same time and annually thereafter, shall submit estimates covering the expense of maintaining and operating such institution, including salaries of all necessary officers and employees.

SEC. 3. That the Secretary of the Treasury is hereby authorized, upon request of the Attorney General, to cause plans, specifications, and estimates for the remodeling and constructing of the necessary buildings to be prepared in the Office of the Supervising Architect of the Department of the Treasury, and the work of remodeling and constructing the said buildings to be supervised by the field force of said office: *Provided*, That if, in his discretion, it would be impracticable to cause such plans, specifications, and estimates to be prepared in the Office of the Supervising Architect of the Department of the Treasury, and such work to be supervised by the field force of said office, the Secretary of the Treasury may contract for all or any portion of such work to be performed by such suitable person or firm as he may select: *Provided further*, That the proper appropriation for the support and maintenance of the Office of the Supervising Architect be reimbursed for the cost of such work and supervision.

SEC. 4. That the control and management of the institution to be established hereunder shall be vested in the Attorney General, who shall have power to promulgate rules for the government thereof, and to appoint, subject to the civil service laws and regulations of the United States, all necessary officers and employees. In connection with such maintenance and operation the Attorney General is authorized to establish and conduct industries, farms, and other activities; to classify the inmates; and to provide for their proper treatment, care, rehabilitation, and reformation.

SEC. 5. That the inmates of said institution shall be employed in such manner and under such condition as the Attorney General may direct. The Attorney General may, in his discretion, establish industries, plants, factories, or shops for the manufacture of articles, commodities, and supplies for the United States Government; require any department or establishment of the United

States to purchase at current market prices, as determined by the Attorney General or his authorized representatives, such articles, commodities, or supplies as meet their specifications. There may be established a working-capital fund for said industries out of any funds appropriated for said institution; and said working-capital fund shall be available for the purchase, repair, or replacement of machinery, or equipment, for the purchase of raw materials and supplies, for personal services of civilian employees, and for the payment to the inmates or their dependents of such pecuniary earnings as the Attorney General shall deem proper.

SEC. 6. There is hereby authorized to be created a board of examiners for each Federal penal and correctional institution where persons convicted of offenses against the United States are incarcerated, to consist of (1) a medical officer appointed by the warden or superintendent of the institution; (2) a medical officer to be appointed by the Attorney General; and (3) a competent expert in mental diseases to be nominated by the Surgeon General of the United States Public Health Service. The said board shall examine any inmate of the institution alleged to be insane or of unsound mind or otherwise defective and report their findings and the facts on which they are based to the Attorney General. The Attorney General, upon receiving such report, may direct the warden or superintendent or other official having custody of the prisoner to cause such prisoner to be removed to the United States hospital for defective delinquents or to any other such institution as is now authorized by law to receive insane persons charged with or convicted of offenses against the United States, there to be kept until, in the judgment of the superintendent of said hospital, the prisoner shall be restored to sanity, or health, or until the maximum sentence, without deduction for good time or commutation of sentence, shall have been served.

SEC. 7. Any inmate of said United States hospital for defective delinquents whose sanity or health is restored prior to the expiration of his sentence, may be retransferred to any penal or correctional institution designated by the Attorney General, there to remain pursuant to the original sentence computing the time of his detention or confinement in said hospital as part of the term of his imprisonment.

SEC. 8. It shall be the duty of the superintendent of said hospital to notify the proper authorities of the State, District, or Territory where any insane convict shall have his legal residence, or, if this can not be ascertained, the proper authorities of the State, District, or Territory from which he was committed, of the date of the expiration of the sentence of any convict who, in the judgment of the superintendent of said hospital, is still insane or a menace to the public. The superintendent of said hospital shall cause to be delivered into the custody of the proper authorities of the State, District or Territory the body of said insane convict.

SEC. 9. All transfers from penal and correctional institutions to or from the hospital for defective delinquents shall be made in such manner as the Attorney General may direct, and the expense thereof shall be paid from such appropriation as may be authorized.

SEC. 10. The expenses incurred in the necessary travel in the selection of a site, in making of surveys, the making of preliminary sketches, and the securing of options shall be payable out of appropriation "Support of prisoners" for the fiscal year in which such expense is incurred, not exceeding, however, the sum of \$20,000.

SEC. 11. There are hereby authorized to be appropriated such funds as are necessary to carry out the purpose of this Act.

Approved, May 13, 1930.

A review of the public documents respecting the two foregoing acts again calls attention to the fact that important medical problems arise in connection with the care of Federal prisoners. These may be considered under the headings of routine requirements and of research activities. The routine requirements involve the psychiatric examination and classification of all inmates and physical examinations that will permit of prompt recognition and correction of physical defects and diseases among prisoners.

The psychiatric examination and classification of prisoners is of very great value to those concerned with the application of disciplinary measures, with the treatment of prisoners generally, with the transfer of mentally disordered persons to institutions most suited to give specialized care, and with the subject of parole and discharge of inmates. A more intimate knowledge of the mental characteristics of prisoners will contribute to a better understanding of features involved in correctional systems generally, to the necessity for specialized methods in court procedure, and to the evolution of institutional facilities to meet the requirements applicable to individual cases.

It is obvious that inmates of prisons are subject to the same intercurrent physical and mental defects as are seen among those comprising the general population. A properly organized prison medical service, therefore, must be both general and special in character to meet these needs.

A well-organized medical service in a modern prison can contribute to the welfare of inmates and employees in ways other than those mentioned, such as the following: By rendering advice and counsel respecting sanitation and personal hygiene; by helping to organize and guide recreational, educational, occupational, and vocational activities with a view to promoting the health of both inmates and employees; and, by giving assistance and advice for maintaining a wholesome and well-balanced dietary, the neglect of which is a great source of discord and complaint in all prisons.

It is manifest that the chief medical officer of a large modern prison has an important and specialized duty to perform, and one requiring special training, administrative ability, tact, and judgment. As a rule, the recruiting of medical personnel and the organization of a reliable and competent group to perform the duties incident to the medical service of a large prison are most unsatisfactory unless there is some adequate reward for service. Satisfactory working conditions, reasonable salary and tenure of office, opportunities for advancement, and retirement for disability or old age are important considerations. Above all else, however, and that which makes the greatest appeal, is the satisfaction which comes to medical men and women who are given opportunity to contribute something to the sum

of knowledge with respect to a particular and specialized field. Any medical service in any prison which does not assume the flavor of study and investigation is doomed to be perfunctory in character.

It is not assumed that Federal prisoners should be used as experimental animals for the furtherance of medical knowledge. However, a large prison may be regarded as analogous to a laboratory, subject to control, where observations and scientific studies should be made possible. The following are some of the problems of human ills that might be profitably observed and studied under this controlled environment: Cardiorenal diseases; the treatment of syphilis; dental caries and pyorrhea—in fact, the whole array of focal infection; statistical studies of the physical status of prisoners, with special reference to the glands of internal secretions; studies of social factors instrumental in unsocial reactions; the mental characteristics of individual prisoners; the motivation behind special types of crimes, or habits, such as drug addiction; physiological and chemical studies of the normal in contrast with the abnormal; standardization and the uniform collection of statistics of prisoners with special reference to their physical and mental status; and other contributions on the routine handling of specific illnesses and defects.

It is obvious that the Public Health Service is interested in the investigative and the administrative possibilities which the two laws provide. Apparently no new precedent has been established by charging the Public Health Service with this new responsibility; for it is merely another step in attempting to coordinate and promote uniformity in the medical work of the Federal Government.

NAME OF DIVISION CHANGED AND STUDIES AUTHORIZED

An act to create a Bureau of Narcotics in the Treasury Department approved on June 14, 1930, changed the name of the "Narcotics Division" in the office of the Surgeon General of the United States Public Health Service to the "Division of Mental Hygiene," transferring all of the authority, powers, and functions exercised by the Narcotics Division to the Division of Mental Hygiene. The same act authorized and directed the Surgeon General of the Public Health Service to make such studies and investigations, as may be necessary, of the abusive use of narcotic drugs; of the quantities of crude opium, coca leaves, and their salts, derivatives, and preparations, together with such reserves thereof, as are necessary to supply the normal and emergency medicinal and scientific requirements of the United States; and of the causes, prevalence, and means for the prevention and treatment of mental and nervous diseases. Thus the scope of functions and activities of the newly created division were enlarged.

The act, by special resolution of Congress, became effective July 1, 1930.

The text of the act follows:

[PUBLIC—No. 357—71ST CONGRESS]

[H. R. 11143]

An Act To create in the Treasury Department a Bureau of Narcotics, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the Department of the Treasury a bureau to be known as the Bureau of Narcotics and a Commissioner of Narcotics who shall be at the head thereof. The Commissioner of Narcotics shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary at the rate of \$9,000 per annum. The commissioner shall make an annual report to Congress.

* * * * *

Sec. 4. (a) The Narcotics Division in the office of the Surgeon General of the United States Public Health Service in the Treasury Department, as created by the act entitled "An act to establish two United States narcotic farms for the confinement and treatment of persons addicted to the use of habit-forming narcotic drugs who have been convicted of offenses against the United States, and for other purposes," approved January 19, 1929 (U. S. C., Supp. III, title 21, ch. 8), shall be known as the Division of Mental Hygiene. The authority, powers, and functions exercised by such Narcotics Division are hereby transferred to the Division of Mental Hygiene. The medical officer of the Public Health Service in charge of said division shall hold the rank and receive the pay and allowances of Assistant Surgeon General while so serving.

(b) The Surgeon General of the Public Health Service is authorized and directed to make such studies and investigations, as may be necessary, of the abusive use of narcotic drugs; of the quantities of crude opium, coca leaves, and their salts, derivatives, and preparations, together with such reserves thereof, as are necessary to supply the normal and emergency medicinal and scientific requirements of the United States; and of the causes, prevalence, and means for the prevention and treatment of mental and nervous diseases. The Surgeon General shall report to the Secretary of the Treasury not later than the 1st day of September each year the results of such studies and investigations. The results of such studies and investigations of the quantities of crude opium, coca leaves, or other narcotic drugs, together with such reserves thereof, as are necessary to supply the normal and emergency medicinal and scientific requirements of the United States, shall be made available to the Commissioner of Narcotics, to be used at his discretion in determining the amounts of crude opium and coca leaves to be imported under narcotic drugs import and export act, as amended.

(c) The Secretary of the Treasury is hereby authorized to appoint such professional, technical, and clerical assistants as may be necessary to carry out the provisions of this section.

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Approved, June 14, 1930.





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